S.B. Civil Review Petition No.19/2006
In
S.B. Civil First Appeal No.17/2002
Date : 22.11.2006

HON'BLE MR.JUSTICE SATYA PRAKASH PATHAK

Mr. Surendra Surana for petitioners.
Mr. Pradeep Shah for respondent.

After hearing learned counsel for the parties and taking into consideration the submissions made before me and undisputed fact that on the date of hearing and judgment delivered by this Court the appellant was not alive and infact he died on 25th September, 2004 whereas the matter was heard on 17.02.2006, therefore, in my humble opinion the judgment requires to be recalled.

Accordingly, the review petition stands allowed and the judgment delivered on 17.02.2006 is recalled.

The appeal be placed before the Regular Bench for hearing afresh on merits.

(SATYA PRAKASH PATHAK),J.

vij